

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 5939

IN THE MATTER OF:

Served July 21, 2000

NILE EXPRESS TRANSPORT, INC.,)
Revocation of Certificate of)
Insurance and Investigation of)
Suspension and Revocation of)
Certificate No. 460)

Case No. MP-2000-22

On March 13, 2000, the Commission received a \$1.5 million WMATC Certificate of Insurance and Policy Endorsement from Reliance Insurance Company in the name of Nile Express Transport, Inc.

On May 1, 2000, the Commission received a \$1.5 million WMATC Certificate of Insurance and Policy Endorsement from Liberty Mutual Insurance Company in the name of Gamal Elraida, which is the name of Nile Express's president.

A vehicle list obtained from Reliance shows one vehicle, a 1985 Ford Club Wagon, VIN 1F3HS31H8FHB87716. A vehicle list obtained from Liberty Mutual shows a different vehicle, a 1991 Ford Aerostar, VIN JT2AL21D6C4402748. The companies have confirmed that coverage remains in effect under both policies.

Under Regulation No. 58-09, the Commission may, upon thirty (30) days' notice, revoke its approval of any certificate of insurance if, in the judgment of the Commission, such security does not comply with the Commission's regulations or for any reason fails to provide satisfactory or adequate protection for the public.

When the Commission was confronted with a similar situation in the case of In re Shirley L. Nelson, t/a L&N Transp., No. MP-96-16, Order No. 4770 (Feb. 26, 1996), the Commission directed the carrier to show cause why it should not be ordered to terminate one policy and report all vehicles to the other insurer.

Accordingly, we will revoke respondent's certificate of insurance, effective thirty days after the date of this order. Respondent shall have thirty days to: (1) show cause why both vehicles should not be insured under a single policy issued in respondent's name; (2) file a list of all vehicles used by respondent in revenue operations and present said vehicles for inspection by Commission staff; and (3) file a newly executed certificate of insurance, together with a vehicle list from respondent's insurance company.

THEREFORE, IT IS ORDERED:

1. That respondent's certificate of insurance is hereby revoked, effective thirty days after the date of this order.

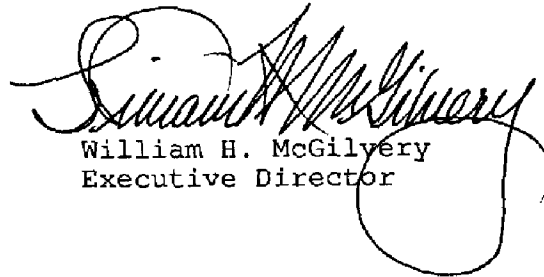
2. That respondent shall have thirty days from the date this order is issued to:

- a. show cause why the 1991 Ford Aerostar belonging to respondent's president should not be insured under a single policy issued in respondent's name;
- b. file a vehicle list stating the year, make, model, serial number, fleet number, license plate number (with jurisdiction) and seating capacity of each vehicle used by respondent in revenue operations and present said vehicles for inspection by Commission staff; and
- c. file a newly executed certificate of insurance issued in respondent's name together with a vehicle list from respondent's insurance company.

3. That unless respondent complies with the requirements of this order within the time allowed, Certificate of Authority No. 460 shall be invalid and stand automatically suspended pursuant to Article XI, Section 7(g), of the Compact and Commission Regulation No. 58-02 and shall be subject to immediate revocation without further proceedings.

4. That respondent may file within fifteen days from the date of this order a request for oral hearing, indicating the grounds for the request, describing the evidence to be adduced and explaining why such evidence cannot be adduced without an oral hearing.

FOR THE COMMISSION:



William H. McGilvery
Executive Director